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13 **UNITED STATES BANKRUPTCY COURT**
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

14 **In re:**

15 **PG&E CORPORATION**

16 **-and-**

17 **PACIFIC GAS AND ELECTRIC**
COMPANY,

18 **Debtors.**

19 Affects PG&E Corporation
20 Affects Pacific Gas and Electric Company
21 Affects both Debtors

22 *All papers shall be filed in the Lead Case,
23 No. 19-30088 (DM)

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

EX PARTE MOTION OF THE
OFFICIAL COMMITTEE OF TORT
CLAIMANTS PURSUANT TO B.L.R.
9006-1 REQUESTING ORDER
SHORTENING TIME FOR HEARING
ON MOTION FOR ENTRY OF AN
ORDER DETERMINING
PROCEDURES FOR PRESERVING
JURY TRIAL RIGHTS

[No hearing requested]

1 The Official Committee of Tort Claimants (hereafter, the “TCC”) in the above-captioned
2 chapter 11 cases (the “**Chapter 11 Cases**”) of PG&E Corporation and Pacific Gas and Electric
3 Company (collectively, the “**Debtors**” or “**PG&E**”), hereby submits this Motion (the “**Motion to**
4 **Shorten**”), pursuant to Rule 9006-1 of the Bankruptcy Local Rules for the United States
5 Bankruptcy Court for the Northern District of California (the “**Bankruptcy Local Rules**”), for
6 entry of an order shortening time for a hearing on the TCC’s motion for entry of an order
7 determining procedures for jury trial rights (the “**TCC Motion**”). In support of this Application,
8 the TCC submits the Declaration of Joseph M. Esmont (the “**Esmont Declaration**”) filed
9 contemporaneously herewith. A proposed form of order granting the relief requested herein is
10 annexed hereto as **Exhibit A** (the “**Proposed Order**”).

MEMORANDUM OF POINTS AND AUTHORITIES

I. JURISDICTION

13 The Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334,
14 the Order Referring Bankruptcy Cases and Proceedings to Bankruptcy Judges, General Order 24
15 (N.D. Cal.), and Bankruptcy Local Rule 5011-1(a). This is a core proceeding pursuant to 28 U.S.C.
16 § 157(b). Venue is proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409.

II. BASIS FOR RELIEF SOUGHT

18 Pursuant to Bankruptcy Local Rule 9014-1(c)(2), a hearing on the TCC Motion requires at
19 least twenty-one (21) days' notice of an opportunity for a hearing. Bankruptcy Local
20 Rule 9006-1(a) provides that, except as set forth therein, "approval of the Court is required to
21 enlarge or to shorten time to perform any act or file any paper pursuant to the Federal Rules of Civil
22 Procedures, the Bankruptcy Rules, or these Bankruptcy Local Rules." B.L.R. 9006-1(a).

23 The Court's approval is warranted here. The bar date for filing claims is just over two
24 months away, on October 21, 2019. Multiple thousands of personal injury victims will file claims
25 in these Chapter 11 Cases. Many may wait until confirmation of preservation of their jury trial
26 rights to file their claims.

1 Using the Court's 21 day notice period, the next available PG&E omnibus hearing date is
2 September 10, 2019. That hearing is only 41 days prior to the claims bar date in these cases. The
3 order would facilitate the filing of claims as quickly as possible and well in advance of the bar date.

4 To this end, the TCC requests that notice be shortened to permit the TCC Motion to be
5 heard as soon as possible. The TCC's proposal is for the Motion to be heard on August 14, 2019.
6 If that date is not available, the TCC requests that the Court hear the Motion as soon as practical
7 after that date, up to and including August 27, 2019. In any event, the TCC requests that the Court
8 set an appropriate objection deadline.

9 As stated in the Esmont Declaration, as of the filing of this Motion to Shorten, the Debtors
10 did not respond to this request.

11 **III. NOTICE**

12 Notice of this Motion to Shorten will be provided to (i) the Debtors, c/o PG&E Corporation
13 and Pacific Gas and Electric Company, PO Box 770000, 77 Beale Street, San Francisco, CA 94105
14 (Attn: Janet Loduca, Esq.); (ii) Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, New
15 York 10153 (Attn: Stephen Karotkin, Esq., Jessica Liou, Esq., and Matthew Goren, Esq.), proposed
16 attorneys for the Debtors; (iii) Keller & Benvenutti LLP, 650 California Street, Suite 1900, San
17 Francisco, CA 94108 (Attn: Tobias Keller, Esq. and Jane Kim, Esq.), proposed attorneys for the
18 Debtors; (iv) Stroock & Stroock & Lavan LLP, 180 Maiden Lane, New York, NY 10038-4982
19 (Attn: Kristopher M. Hansen, Esq., Erez E. Gilad, Esq., and Matthew G. Garofalo, Esq.) and 2029
20 Century Park East, Los Angeles, CA 90067-3086 (Attn: Frank A. Merola, Esq.), as counsel for the
21 administrative agent under the Debtors' debtor-in-possession financing facility; (v) Davis Polk &
22 Wardwell LLP, 450 Lexington Avenue, New York, NY 10017 (Attn: Eli J. Vonnegut, Esq., David
23 Schiff, Esq., and Timothy Graulich, Esq.), as counsel for the collateral agent under the Debtors'
24 debtor-in-possession financing facility; (vi) Paul, Weiss, Rifkind, Wharton & Garrison LLP, 1285
25 Avenue of the Americas, New York, NY 10019-6064 (Attn: Alan W. Kornberg, Esq., Brian S.
26 Hermann, Esq., Walter R. Rieman, Esq., Sean A. Mitchell, Esq., and Neal P. Donnelly, Esq.), as
27 counsel to the California Public Utilities Commission; (vii) the Office of the United States Trustee
28 for Region 17, 450 Golden Gate Avenue, 5th Floor, Suite #05-0153, San Francisco, CA 94102

1 (Attn: James L. Snyder, Esq. and Timothy Laffredi, Esq.); (viii) U.S. Nuclear Regulatory
2 Commission, Washington, DC 20555-0001 (Attn: General Counsel); (ix) U.S. Department of
3 Justice, 1100 L Street, NW, Room 7106, Washington DC 20005 (Attn: Danielle A. Pham, Esq.,)
4 as counsel for United States on behalf of the Federal Energy Regulatory Commission; (x) Milbank
5 LLP, 55 Hudson Yards, New York, NY 10001-2163 (Attn: Dennis F. Dunne, Esq. and Sam A.
6 Khalil, Esq.) and 2029 Century Park East, 33rd Floor, Los Angeles, CA 90067 (Attn: Paul S.
7 Aronzon, Esq., Gregory A. Bray, Esq., and Thomas R. Kreller, Esq.), as counsel for the Official
8 Committee of Unsecured Creditors; and (xi) those persons who have formally appeared in these
9 Chapter 11 Cases and requested service pursuant to Bankruptcy Rule 2002. The TCC respectfully
10 submits that no further notice is required.

11 No previous request for the relief sought herein has been made by the TCC to this or any
12 other court.

13 **WHEREFORE**, the TCC respectfully requests entry of an order granting the Motion to
14 Shorten, and such other and further relief as the Court may deem just and appropriate.

15 Dated: August 8, 2019

16 BAKER & HOSTETLER LLP

17 By: /s/ Lauren T. Attard
18 Lauren T. Attard

19 *Counsel for The Official Committee of Tort
Claimants*

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